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July 2, 2018

By ECF

The Honorable Sarah Netburn  
United States Magistrate Judge  
Southern District of New York  
40 Foley Square, Room 430  
New York, New York 10007

Re: *In re Terrorist Attacks on September 11, 2001*  
03 MDL 1570 (GBD) (FM)

*This document relates to:*

*Kathleen Ashton, et al. v. Al Qaeda Islamic Army, et al., Case No. 02 Civ. 6977*  
*Thomas Burnett, Sr., et al. v. Al Baraka Inv. & Dev. Corp., et al., No. 03 Civ.*  
*9849*

*Federal Insurance Co., et al. v. Al Qaida, et al., No. 03 Civ. 6978*  
*Continental Casualty Co., et al. v. Al Qaeda, et al., No. 04 Civ. 5970*  
*Euro Brokers Inc., et al., v. Al Baraka, et al., No. 04 Civ. 7279*  
*Estate of John P. O'Neill et. al., v. Al Baraka et. al., No. 04 Civ. 1923*

Dear Judge Netburn:

We represent defendant Yassin Abdullah Kadi in this matter. Plaintiffs' deposition of our client will take place in London on Tuesday and Wednesday July 10 and 11. We are writing to inquire if Your Honor will be available on those days for telephonic rulings if a dispute arises during the deposition.

Paragraph 91 of the deposition protocol provides that "[a] person may instruct a deponent not to answer ... when necessary ... to present a motion under Rule 30(d)(3)." (ECF No. 3894, filed January 31, 2018). Should it be necessary for us to make such a motion, it would

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be most helpful if Your Honor could be available by telephone while we are in session in London, where the time is 5 hours later than in New York. Clearly it is in the interests of all concerned to avoid a situation requiring another trip to London for an additional deposition session.

Therefore, we ask if Your Honor could be available between noon and 1:00 p.m. New York time on Tuesday July 10, by which time we expect that most disputes, if any, will have crystallized. By sometime Wednesday morning we expect that Plaintiffs' questioning will have concluded, and we hope that we could contact Your Honor at your earliest convenience that day to resolve any additional disputes.

We thank the Court for its consideration of this request.

Respectfully,

s/

Peter C. Salerno

cc: The Honorable George B. Daniels (via ECF)  
All MDL Counsel of Record (via ECF)